



## A BILL FOR AN ORDINANCE

RELATING TO THE ADOPTION OF THE STATE FIRE CODE.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to adopt the State Fire Code as adopted by the State of Hawaii (State) on August 15, 2014, subject to certain amendments which shall apply to the City.

SECTION 2. Chapter 20, Article 1, Revised Ordinances of Honolulu 1990 ("Adoption of State Fire Code"), is repealed.

SECTION 3. Chapter 20, Revised Ordinances of Honolulu 1990, is amended by adding a new Article 1 to read as follows:

### **"Article 1. Adoption of the State Fire Code**

#### **Sec. 20-1.1 Fire Code of the City and County of Honolulu.**

The State Fire Code, as adopted by the State of Hawaii on August 15, 2014, pursuant to Chapter 132 of the Hawaii Revised Statutes (HRS), which adopts, with modifications, the 2012 National Fire Protection Association (NFPA) 1 Fire Code, published and copyrighted by the NFPA, is by reference incorporated in this chapter and made a part hereof, subject to the following amendments which, unless stated otherwise, are in the form of amendments to NFPA 1:

- (1) Amending Section 1.1.2. Section 1.1.2 is amended to read:

**1.1.2 Title.** This code shall be known and cited as the "Fire Code of the City and County of Honolulu" and will be referred to herein as "this code."

- (2) Amending Section 1.10. Section 1.10 is amended to read:

**1.10 Board of Appeals.** See Chapter 16 (Building Code), Article 1, ROH.

- (3) Amending Section 1.12.8. Section 1.12.8 is amended to read:

**1.12.8 Permits, Licenses, and Fees.** A permit or license shall be obtained from the Honolulu Fire Department's (HFD) Fire Prevention Bureau or designated agency prior to engaging in the following activities, operations, practices, or functions:



## A BILL FOR AN ORDINANCE

1. ~~Places of Assembly. To operate a place of assembly. For permit requirements, see Section 20.1.1.~~  
  
~~Annual Permit Fee: \$200~~
2. ~~Tents and Canopies. For permit requirements, see Section 25.2.~~  
  
~~Permit Fee: \$200~~
3. ~~Application of Flammable Finishes. For permit requirements, see Section 43.1.~~  
  
~~Annual Permit Fee: \$200~~
4. ~~Flammable and Combustible Liquid Tank Installation. For permit requirements, see Section 66.1.5.~~  
  
~~One-time Permit Fee:~~  
  
~~\$150 for a tank capacity of 61 to 4,999 gallons~~  
~~\$200 for a tank capacity of 5,000 gallons or greater~~
5. ~~Liquefied Petroleum Gas (LPG) Container (Tank) Installation. For permit requirements, refer to Section 69.1.2.~~  
  
~~One-time Permit Fee:~~  
  
~~\$200 for a single container or the aggregate of interconnected containers of 125-gallon water capacity or more~~
6. ~~Licenses to inspect, test, and maintain the following fire protection systems:~~  
  
~~Water-based systems. Three-year license fee: \$100~~  
~~Nonwater-based systems. Three-year license fee: \$100~~  
~~Portable fire extinguishers. Three-year license fee: \$100~~
7. ~~Fireworks. For permits and license requirements, see Chapter 20, Article 6, ROH.~~



## A BILL FOR AN ORDINANCE

8. ~~Automatic Fire Extinguishing Systems for Commercial Cooking Equipment. For permit requirements, see Section 50.4.3.3.~~

~~One time Permit Fee: \$100~~

9. ~~Fire Alarm Systems Acceptance Test. Permit fees are as follows:~~

~~1-100 devices or appliances:~~

~~Initial Fee: \$100~~

~~Retest Fee: \$100~~

~~101-250 devices or appliances:~~

~~Initial Fee: \$250~~

~~Retest Fee: \$250~~

~~More than 250 devices or appliances:~~

~~Initial Fee: \$500~~

~~Retest Fee: \$500~~

10. ~~Fire Plans Review Fee~~

a. ~~When plans or other specifications are submitted to the fire department per the Building Code, a plan review fee shall be paid at the time of submittal. The fees collected are hereby deemed appropriated upon receipt and may be expended for fire prevention activities relating to public education, fire investigations, plans checking, permit processing, fire inspections, certifications, and training.~~

b. ~~The Fire Plans Review Revolving Fund is established and created herewith as a repository for such fees. The fire plans review fee shall be ten (10) percent of the building permit fee, but not more than \$2,500, payable to the City prior to the issuance of the building permit.~~

11. ~~Fireworks Public Display Inspection Fee. For permit requirements, see Section 20-6.12.~~

~~Inspection Fee: \$200~~



---

## A BILL FOR AN ORDINANCE

---

~~(4) Amending Section 1.16.4. Section 1.16.4 is amended to read:~~

~~**1.16.4 Citations.** Any person, firm, or corporation who fails to comply with the provisions of this code or carry out an order made pursuant to this code or violates any condition attached to a permit, approval, or certificate, shall be deemed guilty of a misdemeanor.~~

~~(5) Amending Section 1.16.5. Section 1.16.5 is amended to read:~~

~~**1.16.5 Failure to Comply.** Each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this code is committed, continued, or permitted. Upon conviction of any such violation, such person shall be punished by a fine of not more than \$1,000 or imprisonment of not more than one year or both such fine and imprisonment.~~

~~(6) Amending Section 10.11.1. Section 10.11.1 is amended to read:~~

~~**10.11.1 Open Burning Fires.** Open burning shall be conducted in accordance with this section and may be prohibited when the authority having jurisdiction (AHJ) determines such fires are a hazard.~~

~~**10.11.1.1 Compliance.** Open burning shall comply with the following:~~

- ~~1. **Fires for Cooking Food.** Persons responsible for such fires not contained within an appliance, such as an imu, shall notify the HFD's Fire Communication Center (FCC) 15 minutes prior to lighting such fires.~~
- ~~2. **Fires for Recreational, Decorative, or Ceremonial Purposes.** Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.~~
- ~~3. **Fires to Abate a Fire Hazard.** Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.~~



## A BILL FOR AN ORDINANCE

4. ~~Fires for Prevention or Control of Disease or Pests. Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.~~
5. ~~Fires for Training of Fire Fighting Personnel. Fires for the training of fire fighting personnel shall be in accordance with NFPA 1403 and conducted only with the AHJ's approval. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.~~
6. ~~Fires for Disposal of Dangerous Materials. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.~~
7. ~~Fires for Residential Bathing Purposes. Notify the HFD's FCC at least 15 minutes prior to lighting such fires.~~

~~**10.11.1.2 Responsibility.** Fires for open burning allowed under Section 10.11.1 shall be the responsibility of the person igniting and maintaining the fire.~~

~~**10.11.1.3 Incinerators.** Private incineration is prohibited by State health laws.~~

~~**EXCEPTION:** Closed incinerators approved by the State Department of Health (DOH) shall be in accordance with NFPA 82.~~

~~**10.11.1.4 Agricultural Fires.** Clearance by the State DOH and notification of all agricultural fires either by telephone or written notice shall be on file with the AHJ before such fires are permitted.~~

- (7) ~~Amending Section 10.11.9. Section 10.11.9 is amended by adding Subsection 10.11.9.1 to read:~~

~~**10.11.9.1 Extinguishment.** If smoke and odors become a nuisance to neighboring property tenants, the fire shall be immediately extinguished.~~



## A BILL FOR AN ORDINANCE

~~(8) Amending Section 10.14.10. Section 10.14.10 is amended by adding Subsection 10.14.10.4 to read:~~

~~**10.14.10.4 Clearance of Brush or Vegetative Growth from Structures.**~~

~~Persons owning, leasing, controlling, operating, or maintaining buildings or structures in, upon, or adjoining hazardous fire areas and persons owning, leasing, or controlling land adjacent to such buildings or structures shall at all times:~~

- ~~1. Maintain an effective firebreak by removing and clearing flammable vegetation and combustible growth from areas within 30 feet of such buildings or structures.~~

~~**EXCEPTION:** Single specimens of trees, ornamental shrubbery, or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from the native growth to any structure.~~

- ~~2. Maintain additional fire protection or firebreak by removing brush, flammable vegetation, and combustible growth located from 30 to 100 feet from such buildings or structures when required by the AHJ because of hazardous conditions causing a firebreak of only 30 feet, which is insufficient to provide reasonable fire safety.~~

~~**EXCEPTION:** Grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.~~

- ~~3. Remove portions of trees which extend within ten feet of a chimney's outlet.~~
- ~~4. Maintain trees adjacent to or overhanging a building free of deadwood.~~
- ~~5. Maintain the structure's roof free of leaves, needles, or other dead vegetative growth.~~



## A BILL FOR AN ORDINANCE

(9) ~~Amending Section 13.1.2. Section 13.1.2 is amended by adding Subsections 13.1.2.1, 13.1.2.2, and 13.1.2.3 to read:~~

~~**13.1.2.1 Licenses.** The following licenses to conduct inspections, testing, and maintenance shall be issued by the AHJ and are valid for three years:~~

- ~~a. Automatic Fire Extinguishing Systems~~
- ~~b. Class I~~
- ~~c. Class II~~
- ~~d. Class III~~
- ~~e. Combined Systems~~
- ~~f. Portable Fire Extinguishers~~

~~**EXCEPTION:** Unless said license is suspended or revoked by the AHJ.~~

- ~~a. Personnel conducting the inspection, testing, and maintenance shall be qualified and experienced in inspection, testing, and maintenance for the specific type of system prior to conducting inspections, testing, and maintenance for the specific type of system.~~
- ~~b. Procedures to be followed in accomplishing the test and inspections required by Section 13.1.2.1 shall be in accordance with the appropriate NFPA standard and as promulgated by the AHJ in rules adopted pursuant to this code and Chapter 91, HRS. Procedures to be followed in the issuance, suspension, or revocation for cause of licenses shall be as promulgated by the AHJ in rules adopted pursuant to this code and Chapter 91, HRS.~~

~~**13.1.2.2 Halon and Clean Agent Systems.** Condition of acceptance of halon and clean agent systems shall be satisfactory passage of a final approval of an installation test in accordance with nationally recognized standards and the manufacturer's instructions prior to final acceptance of the system. The test shall be witnessed by the AHJ.~~

~~**13.1.2.3 Nonwater-based Fire Extinguishing Systems.** Upon completion of the installation of a nonwater-based fire extinguishing system that is required by this code, a satisfactory final approval of the installation test of the system shall be made in accordance with nationally recognized standards and the manufacturer's instructions. Nonwater-~~



## A BILL FOR AN ORDINANCE

~~based systems include, but are not limited to, dry chemical and carbon dioxide extinguishing systems. The test shall be witnessed by the AHJ.~~

- ~~(10) Amending Section 13.1.3. Section 13.1.3 is amended by adding the following sentence to read:~~

~~A minimum three-foot clearance shall be maintained around the circumference of the fire hydrant, except as otherwise required or approved by the AHJ.~~

- ~~(11) Amending Section 13.1.4. Section 13.1.4 is amended by adding the following sentence to read:~~

~~A minimum three-foot clearance shall be maintained around the circumference of the fire protection equipment, inlet connections, and control valves, except as otherwise required or approved by the AHJ.~~

- ~~(12) Amending Section 13.3.2.18.1 Section 13.3.2.18.1 is amended to read:~~

~~When required by the county building code, all new one and two family dwellings shall be protected throughout by an approved automatic sprinkler system in accordance with 13.3.2.18.2. [101:24.3.5.1]~~

- ~~(13) Amending Section 13.7.2.1. Section 13.7.2.1 is amended by adding item 3 to read:~~

~~(3) When approved by the AHJ, the manual fire alarm boxes may not be required for fire alarm systems in buildings protected throughout by smoke detectors and an approved automatic sprinkler system, which is provided with an approved initiation device that will operate when the flow of water is equal to or greater than that of a single automatic sprinkler.~~

- ~~(14) Amending Section 13.7.2.2. Section 13.7.2.2 is amended by adding item 4 to read:~~

~~(4) When approved by the AHJ, the manual fire alarm boxes may not be required for fire alarm systems in buildings protected throughout by smoke detectors and an approved automatic sprinkler system, which is provided with an approved initiation device that will operate~~





---

## A BILL FOR AN ORDINANCE

---

~~when the flow of water is equal to or greater than that of a single automatic sprinkler.~~

- ~~(15) Amending Section 13.7.3.2. Section 13.7.3.2 is amended by adding Subsection 13.7.3.2.8 to read:~~

~~**13.7.3.2.8 Fire Alarm System Testing.** A tag shall be placed on the fire alarm panel when tested in accordance with Section 13.7.3.2. Information on the tag shall include the date of testing, testing company and contact information, technician performing the test, and satisfactory testing result.~~

- ~~(16) Amending Section 18.2.3.2.2.1. Section 18.2.3.2.2.1 is amended to read:~~

~~**18.2.3.2.2.1 Automatic Sprinkler Systems.** When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, an increase in distance in Section 18.2.3.2.2 shall be permitted as set forth by the AHJ.~~

- ~~(17) Amending Section 18.2.3.2. Section 18.2.3.2 is amended by adding Subsection 18.2.3.2.3 to read:~~

~~**18.2.3.2.3 Access for High-Piled Storage.** When high-piled storage areas exceed 12,000 square feet, one or more access doors shall be provided in each 100-lineal feet, or major fraction thereof, of the exterior walls which face required access roadways. Required access doors shall be a minimum of three feet wide and six feet eight inches high. Roll-up doors shall not be allowed as access doors, unless approved by the AHJ.~~

- ~~(18) Amending Section 18.3.5. Section 18.3.5 is amended by adding the following sentence to read:~~

~~Acceptance test records shall be made available for inspection by the AHJ.~~

- ~~(19) Amending Section 20.1.1.1. Section 20.1.1.1 is amended to read:~~

~~**20.1.1.1 Permits and Plans.** A permit is required for places of assembly with an occupant load capacity of 300 or more persons, such as restaurants, nightclubs, and dancing and drinking establishments. The~~



## A BILL FOR AN ORDINANCE

~~permit shall be posted in a conspicuous location on the premises.~~

~~At the time of applying for a permit, the applicant shall submit to the AHJ two copies of the establishment's floor plan indicating the square footage (gross), seating arrangements (if more than one seating configuration is used by the establishment), occupancy load, aisle widths, exits and access ways to exits, and compliance with other fire code requirements in accordance with Chapter 20 of this code. See also amended Section 1.12.20.~~

~~(20) Amending Section 43.1.1.4. Section 43.1.1.4 is amended to read:~~

~~**43.1.1.4 Permits and Plans.** A permit is required for spraying or dipping operations utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 43 of this code.~~

~~At the time of applying for a permit, the applicant shall submit to the AHJ two copies of the spraying or dipping installation plan with distances from the storage of flammable or combustible liquids. The plan shall indicate the location of exits from the spraying or dipping area, an approved fixed extinguishing system installed in the permitted area, and other fire code requirements in accordance with Chapter 43 of this code. See also amended Section 1.12.20.~~

~~(21) Amending Section 25.1.2. Section 25.1.2 is amended by adding Subsection 25.1.2.1 to read:~~

~~**25.1.2.1 Tents and Canopies.** A permit is required to erect or operate a tent or canopy having an area in excess of 2,100 square feet. At the time of application, two copies of the plot plan shall be submitted to the AHJ indicating distances to property lines, buildings, other tents and canopies, parked vehicles, or internal combustion engines. Refer to amended Section 1.12.20.~~

~~**EXCEPTION:** Permits are not required for private parties on private property.~~



## A BILL FOR AN ORDINANCE

~~(22) Amending Section 50.4.3. Section 50.4.3 is amended by adding Subsection 50.4.3.3 to read:~~

~~**50.4.3.3 Acceptance Tests.** Prior to commencing initial cooking operations, a satisfactory air acceptance test of the system shall be made in accordance with the manufacturer's instructions. The acceptance test shall be of an approved method and witnessed by the AHJ.~~

~~(23) Amending section 65.1.4. Section 65.1.4 is amended to read:~~

~~**65.1.1** Importation, storage, possession, sale, purchase transfer, public displays and discharge of fireworks, shall be in accordance with chapter 132D, HRS, and applicable county laws and rules.~~

~~(24) Amending section 65.2.1. Section 65.2.1 is amended to read:~~

~~**65.2.1** The construction, handling, and use of fireworks intended solely for outdoor display as well as the general conduct and operations of the display shall comply with the requirements of NFPA 1123, *Code for Fireworks Display* and applicable county laws and rules.~~

~~(25) Amending section 65.2.2. Section 65.2.2 is amended to read:~~

~~**65.2.2** All storage of display fireworks shall comply with NFPA 1124, *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles* and applicable county laws and rules.~~

~~(26) Amending section 65.2.3. Sections 65.2.3 is amended to read:~~

~~**65.2.3 Permits.** Permits, where required, shall comply with Section 1.12 and applicable county laws and rules.~~

~~(27) Amending section 65.3.1. Sections 65.3.1 is amended to read:~~

~~**65.3.1** The use of pyrotechnic special effects in the performing arts in conjunction with theatrical, musical, or any similar productions before a proximate audience, performers, or support personnel shall comply with NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience* and applicable county laws and rules.~~



---

## A BILL FOR AN ORDINANCE

---

~~(28) Amending section 65.3.2. Section 65.3.2 is amended to read:~~

~~65.3.2 Where any of the following conditions exist, they shall comply with NFPA 1126 and applicable county laws and rules:~~

- ~~(1) Any indoor display of pyrotechnic special effects~~
- ~~(2) Any outdoor use of pyrotechnic special effects at distances less than those required by NFPA 1123~~
- ~~(3) The use of pyrotechnic special effects during any videotaping, audiotaping, or filming of any television, radio, or movie production is such productions is before a proximate audience.~~



---

## A BILL FOR AN ORDINANCE

---

(4) ~~The rehearsal of any production in which pyrotechnic special effects are used.~~

(29) ~~Amending section 65.3.3. Section 65.3.3 is amended to read:~~

~~**65.3.3 Permits.** Permits, where required, shall comply with Section 1.12 and applicable county laws and rules.~~

(30) ~~Amending section 65.5.1. Section 65.5.1 is amended to read:~~

~~**65.5.1** The manufacture, transportations, or storage of fireworks shall comply with NFPA 1124 and applicable county laws and rules.~~

(31) ~~Amending section 65.5.2. Section 65.5.2 is amended to read:~~

~~**65.5.2 Permits.** Permits, where required, shall comply with Section 1.12 and applicable county laws and rules.~~

(32) ~~Amending section 65.11.1.1. Section 65.11.1 is amended to read:~~

~~**65.11.1.1\* General Requirements.** Retail sales of consumer fireworks in both new and existing buildings, structures, and facilities shall comply with the requirements of this section, unless otherwise indicated, and applicable county laws and rules. [1124:7.1.1]~~

(33) ~~Amending section 65.11.2.1. Section 65.11.2.1 is amended to read:~~

~~**65.11.2.1** Retail sales of consumer fireworks, including their related storage and display for sale of such fireworks, shall be in accordance with this Code and applicable county laws and rule. [1124:7.2.1]~~

(34) ~~Amending section 65.11.2.2. Section 65.11.2.2 is amended to read:~~

~~**64.11.2.2\*** Retail sales of consumer fireworks shall be limited to mercantile occupancies defined in Section 20.12 and NFPA 101 and permitted or licensed under the applicable county laws and rules. [1124:7.2.2]~~



## A BILL FOR AN ORDINANCE

~~(35) Amending section 65.11.2.7. Section 65.11.2.7 is amended to read:~~

~~**65.11.2.7** The retail sales of fireworks that do not comply with the regulations of the U.S. Consumer Product Safety Commission as set forth in 16 CFR 1500 and 1507, the regulations of the U.S. Department of Transportation as set forth in 49 CFR 100 to 178 and applicable county laws and rules, including their related storage and display for sale, shall be prohibited. [1124:7.2.7]~~

~~(36) Amending Section 66.1.5. Section 66.1.5 is amended by adding Subsection 66.1.5.1 to read:~~

~~**66.1.5.1 Permits and Plans.** A permit is required to install or operate equipment in connection with the storage, handling, use, or sale of flammable or combustible liquids regulated under Chapter 66 of this code. At the time of application, two copies of the plot and cross sectional plans indicating distances from property lines, buildings, other fuel tanks located on the premises, dispensers, emergency electrical shutoff, vent lines and diameter, piping, location of fire extinguisher, and necessary signage and placards shall be submitted to the AHJ.~~

~~Tank installations within the jurisdiction of the City shall be approved by the Department of Planning and Permitting's (DPP) Zoning Division prior to submitting an application for the HFD's Flammable and Combustible Liquid Tank Installation Permit. For installations in State conservation-zoned areas, tank installations shall be reviewed and approved by the State Department of Land and Natural Resources (DLNR). Refer to amended Section 1.12.20.~~

~~(37) Amending Section 66.5.2. Section 66.5.2 is amended by adding Subsection 66.5.2.3 to read:~~

~~**66.5.2.3 Permits.** No fuel supplier shall fill or cause to be filled, an unpermitted storage tank. It is the supplier's responsibility to request and be presented with a copy of the approved permit issued by the AHJ.~~



## A BILL FOR AN ORDINANCE

- ~~(38) Amending Section 69.1.1.3. Section 69.1.1.3 is amended by adding Subsection 69.1.1.3.1 to read:~~

~~**69.1.1.3.1 Records.** Installers shall maintain a record of installations for permits not required by Section 1.12.20, and such record shall be available for inspection by the AHJ.~~

~~**EXCEPTION:** Installation of gas-burning appliances and replacement of portable cylinders.~~

- ~~(39) Amending Section 69.1.2. Section 69.1.2 is amended by adding Subsection 69.1.2.1 to read:~~

~~**69.1.2.1 Permits and Plans.** A permit is required to install or dispense LPG or to maintain an LPG container (tank).~~

~~**EXCEPTION:** A permit is not required to install or maintain a portable container or the aggregate of interconnected containers of less than a 125-gallon water capacity.~~

~~Permits shall not be transferable and any change in use, occupancy, operation, ownership, vendor, or capacity shall require a new permit. Distributors shall not fill an LPG container for which a permit is required, unless a permit for installation has been issued for that location by the AHJ.~~

~~Where a single container or the aggregate of interconnected containers is of a 125-gallon water capacity or more, the installer shall submit plans to the AHJ.~~

~~LPG installations requiring a permit shall have the permit on site and available for inspection by the AHJ.~~

~~At the time of application for a permit, the installer shall submit to the AHJ two copies of the plot and cross-sectional plans indicating distances from property lines, buildings, other fuel tanks located on the premises, dispensers, emergency electrical shutoff, vent lines and diameter piping, location of fire extinguisher(s), and necessary signage and placards.~~



## A BILL FOR AN ORDINANCE

~~Container installations within the jurisdiction of the City shall be approved by the DPP's Zoning Division prior to submitting an application for the HFD's LPG Tank Installation Permit. For installations in State preservation zoned areas, container installations shall be reviewed by the State DLNR. Refer to amended Section 1.12.20.~~

- ~~(40) Amending Section 69.4.2.2. Section 69.4.2.2 is amended by adding Subsection 69.4.2.2.14 to read:~~

~~**69.4.2.2.14 Storage Tanks.** No fuel supplier shall fill or cause to be filled an unpermitted storage tank. It is the supplier's responsibility to request and be presented with a copy of the approved permit issued by the AHJ."~~

The State Fire Code, as adopted by the State of Hawaii on August 15, 2014, pursuant to Chapter 132 of the Hawaii Revised Statutes (HRS), which adopts, with modifications, the 2012 National Fire Protection Association (NFPA) 1 Fire Code, published and copyrighted by the NFPA, is by reference incorporated in this chapter and made a part hereof, subject to the following amendments which, unless stated otherwise, are in the form of amendments to NFPA 1:

- (1) Amending Section 1.1.2. Section 1.1.2 is amended to read:

**1.1.2 Title.** This code shall be known and cited as the "Fire Code of the City and County of Honolulu" and will be referred to herein as "this code."

- (2) Amending Section 1.10. Section 1.10 is amended to read:

**1.10 Board of Appeals.** See Chapter 16 (Building Code), Article 1, ROH.

- (3) Amending Section 1.12.8. Section 1.12.8 is amended to read:

**1.12.8 Permits, Licenses, and Fees.** A permit or license shall be obtained from the Honolulu Fire Department's (HFD) Fire Prevention Bureau or designated agency prior to engaging in the following activities, operations, practices, or functions:

1. **Places of Assembly.** To operate a place of assembly. For permit requirements, see Section 20.1.1.1.

Annual Permit Fee: \$200





## A BILL FOR AN ORDINANCE

---

2. Tents and Canopies. For permit requirements, see Section 25.1.2.

Permit Fee: \$200

3. Application of Flammable Finishes. For permit requirements, see Section 43.1.1.4.

Annual Permit Fee: \$200

4. Flammable and Combustible Liquid Tank Installation. For permit requirements, see Section 66.1.5.

One-Time Permit Fee:

\$150 for a tank capacity of 61 to 4,999 gallons

\$200 for a tank capacity of 5,000 gallons or greater

5. Liquefied Petroleum Gas (LPG) Container (Tank) Installation. For permit requirements, refer to Section 69.1.2.

One-Time Permit Fee:

\$200 for a single container or the aggregate of interconnected containers of 125-gallon water capacity or more

6. Licenses to inspect, test, and maintain the following fire protection systems:

Water-Based Systems - Three-Year License Fee: \$100

Nonwater-Based Systems - Three-Year License Fee: \$100

Portable Fire Extinguishers - Three-Year License Fee: \$100

7. Fireworks. For permits and license requirements, see Chapter 20, Article 6, ROH.

8. Automatic Fire Extinguishing Systems for Commercial Cooking Equipment Inspection Fee.

Initial Inspection Fee: \$100

Reinspection Fee: \$100



---

## A BILL FOR AN ORDINANCE

---

9. Fire Alarm Systems Acceptance Test Inspection Fee. Inspection fees are as follows:

1-100 devices or appliances:

Initial Fee: \$100

Retest Fee: \$100

101-250 devices or appliances:

Initial Fee: \$250

Retest Fee: \$250

More than 250 devices or appliances:

Initial Fee: \$500

Retest Fee: \$500

10. Fire Plans Review Fee.

a. When plans or other specifications are submitted to the fire department per the Building Code, a plans review fee shall be paid at the time of submittal. The fees collected are hereby deemed appropriated upon receipt and may be expended for fire prevention activities relating to public education, fire investigations, plans checking, permit processing, fire inspections, certifications, and training.

b. The Fire Plans Review Revolving Fund is established and created herewith as a repository for such fees. The Fire Plans Review Fee shall be ten (10) percent of the building permit fee payable to the City prior to the issuance of the building permit.

**EXCEPTION:** Where an automatic fire sprinkler system is elected to be installed in accordance with NFPA 13D, NFPA 13R, or NFPA 13, the Fire Plans Review Fee shall be waived.

11. Fireworks Public Display Inspection Fee. For permit requirements, see Section 20-6.12.

Inspection Fee: \$200



## A BILL FOR AN ORDINANCE

---

- (4) Amending Section 1.16.4. Section 1.16.4 is amended to read:

**1.16.4 Citations.** Any person, firm, or corporation who fails to comply with the provisions of this code or carry out an order made pursuant to this code or violates any condition attached to a permit, approval, or certificate, shall be deemed guilty of a misdemeanor.

- (5) Amending Section 1.16.4.3. Section 1.16.4.3 is amended to read:

**1.16.4.3 Failure to Comply.** Each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this code is committed, continued, or permitted. Upon conviction of any such violation, such person shall be punished by a fine of not more than \$1,000 or imprisonment of not more than one year or both such fine and imprisonment.

- (6) Amending Section 10.11.1. Section 10.11.1 is amended to read:

**10.11.1 Open Burning Fires.** Open burning shall be conducted in accordance with this section and may be prohibited when the authority having jurisdiction (AHJ) determines such fires are a hazard.

**10.11.1.1 Compliance.** Open burning shall comply with the following:

1. Fires for Cooking Food. Persons responsible for such fires not contained within an appliance, such as an imu, shall notify the HFD's Fire Communication Center (FCC) 15 minutes prior to lighting such fires.
2. Fires for Recreational, Decorative, or Ceremonial Purposes. Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.
3. Fires to Abate a Fire Hazard. Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.



---

## A BILL FOR AN ORDINANCE

---

4. Fires for Prevention or Control of Disease or Pests. Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.
5. Fires for Training of Fire Fighting Personnel. Fires for the training of fire fighting personnel shall be in accordance with NFPA 1403 and conducted only with the AHJ's approval. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.
6. Fires for Disposal of Dangerous Materials. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.
7. Fires for Residential Bathing Purposes. Notify the HFD's FCC at least 15 minutes prior to lighting such fires.

**10.11.1.2 Responsibility.** Fires for open burning allowed under Section 10.11.1 shall be the responsibility of the person igniting and maintaining the fire.

**10.11.1.3 Incinerators.** Private incineration is prohibited by State health laws.

**EXCEPTION:** Closed incinerators approved by the State Department of Health (DOH) shall be in accordance with NFPA 82.

- (7) Amending Section 10.11.6. Section 10.11.6 is amended by adding Subsection 10.11.6.1 to read:

**10.11.6.1** For other than one- and two-family dwellings, no hibachi, grill, or other similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony, under any overhanging portion, or within 10 feet (3 meters) of any structure without the AHJ's approval.

- (8) Amending Section 10.11. Section 10.11 is amended by adding Subsection 10.11.11 to read:

**10.11.11 Open Flame Performances Before a Proximate Audience.**



## A BILL FOR AN ORDINANCE

---

10.11.11.1 Open flame performances before a proximate audience shall comply with the following:

1. Performances that use an open flame, such as, but not limited to, "fire dancing" and "logo burns," shall be held outdoors or within a building protected with an automatic sprinkler system in accordance with Section 20.1.5.3.
  2. Performances shall be in an area provided with at least 25 feet of clearance to readily combustible materials.
  3. A minimum clearance of 20 feet shall be kept between the performance and the audience at all times. This distance may be reduced, provided an AHJ-approved, noncombustible safety net is in place in accordance with Section 20.1.5.3.
    - a. Gasoline, white gas, or any Class I flammable liquid shall not be used as the fuel source.
    - b. Fuel storage shall be kept in an approved container at least 25 feet away from the performance and the audience. The quantity of fuel stored shall only suffice for a single performance.
    - c. Performers shall not throw any open-flame props over the audience.
    - d. A CO<sub>2</sub> fire extinguisher with a minimum 20B rating and an ABC fire extinguisher with a minimum 4A rating shall be readily available and within 30 feet of the performance. The fire extinguishers shall be constantly attended by a competent adult trained in the use of portable fire extinguishers.
    - e. Fire props shall be adequately extinguished immediately after performances by soaking in a bucket of water.
    - f. Additional clearances and/or means of fire extinguishment shall be provided if deemed necessary by the AHJ.
- (9) Amending Section 10.14.10. Section 10.14.10 is amended by adding Subsection 10.14.10.4 to read:



## A BILL FOR AN ORDINANCE

### **10.14.10.4 Clearance of Brush or Vegetative Growth from Structures.**

Persons owning, leasing, controlling, operating, or maintaining buildings or structures in, upon, or adjoining hazardous fire areas and persons owning, leasing, or controlling land adjacent to such buildings or structures shall at all times:

1. Maintain an effective firebreak by removing and clearing flammable vegetation and combustible growth from areas within 30 feet of such buildings or structures.

**EXCEPTION:** Single specimens of trees, ornamental shrubbery, or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Maintain additional fire protection or firebreak by removing brush, flammable vegetation, and combustible growth located from 30 to 100 feet from such buildings or structures when required by the AHJ because of hazardous conditions causing a firebreak of only 30 feet, which is insufficient to provide reasonable fire safety.

**EXCEPTION:** Grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

3. Remove portions of trees which extend within ten feet of a chimney's outlet.
  4. Maintain trees adjacent to or overhanging a building free of deadwood.
  5. Maintain the structure's roof free of leaves, needles, or other dead vegetative growth.
- (10) Amending Section 11.12.2.2.2.1.2. Section 11.12.2.2.2.1.2 is amended by adding an exception to read:

**EXCEPTION:** One- and two-family dwellings shall require only one 3-foot wide access pathway from the eave to the ridge on each roof slope where the modules are located.



## A BILL FOR AN ORDINANCE

---

- (11) Amending Section 11.12.2.2.2. Section 11.12.2.2.2 is amended by adding an exception to read:

**EXCEPTION:** One- and two-family dwellings shall be located not less than 1½ feet below the ridge.

- (12) Amending Section 13.1.2. Section 13.1.2 is amended by adding Subsections 13.1.2.2 and 13.1.2.3 to read:

**13.1.2.2 Halon and Clean Agent Systems.** Condition of acceptance of halon and clean agent systems shall be satisfactory passage of a final approval of an installation test in accordance with nationally recognized standards and the manufacturer's instructions prior to final acceptance of the system. The test shall be witnessed by the AHJ.

**13.1.2.3 Nonwater-based Fire Extinguishing Systems.** Upon completion of a nonwater-based fire extinguishing system installation that is required by this code, a satisfactory final approval of the system's installation test shall be made in accordance with nationally recognized standards and the manufacturer's instructions. Nonwater-based systems include, but are not limited to, dry chemical and carbon dioxide extinguishing systems. The test shall be witnessed by the AHJ.

- (13) Amending Section 13.3.2.20.1. Section 13.3.2.20.1 is amended to read:

**13.3.2.20.1** When required by the county building code, all new one- and two-family dwellings shall be protected throughout by an approved automatic sprinkler system in accordance with Section 13.3.2.20.2.

- (14) Amending Section 13.7.1.4.10.4. Section 13.7.1.4.10.4 is amended to read:

**13.7.1.4.10.4** When approved by the AHJ and where permitted by Chapter 11 through Chapter 43 of NFPA 101, a positive alarm sequence shall be permitted, provided that it is in accordance with NFPA 72. The following additional requirements shall also apply:

1. An automatic fire sprinkler system installed in conformance with the building code shall be provided throughout the building or facility.



## A BILL FOR AN ORDINANCE

---

2. Written fire emergency procedures and an evacuation plan for the building or facility shall be reviewed by the AHJ prior to approval testing. The procedures and plan shall include, but not be limited to, immediate notification to the fire department, use of primary and secondary exits, use of fire protection appliances for the building(s) or facility(ies).
3. Trained personnel shall respond to emergencies on a 24-hour basis. The staff shall be instructed in fire emergency procedures and the use and operation of in-house fire appliances. Documentation of such training shall be maintained and filed on the premises.
4. Immediate notification of the fire department shall take place upon activation of any fire alarm initiating device.
5. If the fire alarm system's initiating device is activated, acknowledgement at the control unit by trained personnel shall be accomplished within 15 seconds in order to initiate the alarm investigation phase. If the signal is not acknowledged within 15 seconds, all building or facility and remote signals shall be activated immediately and automatically (general alarm).
6. If the fire alarm system's initiating device is activated, notification devices in that zone shall be activated. The zone notification shall include the floor of, the floor above, and the floor below the activated device. The zone notification areas may be modified with the AHJ's approval. This zone notification shall be for a maximum of three (3) minutes, during which trained personnel shall initiate the alarm investigation phase, communicate their findings immediately to the fire department, and reset the system if appropriate. After three (3) minutes or an activation of any other initiating device(s), the fire alarm system shall be activated immediately and automatically for the entire building or facility (general alarm). At no time shall the fire alarm system be silenced until verification of the alarm is accomplished.
7. The fire alarm system shall provide a means to bypass the positive alarm sequence and immediately activate the general alarm for the entire building or facility.





## A BILL FOR AN ORDINANCE

---

8. The AHJ shall conduct a test of the positive alarm sequence prior to implementation.
9. The AHJ may disapprove or rescind approval of the fire alarm system's positive alarm sequence if all of the above-mentioned requirements are not met and shall require the fire alarm system to be reprogrammed to meet a general alarm notification at the owner's expense.

- (15) Amending Section 13.7.3.2. Section 13.7.3.2 is amended by adding Subsection 13.7.3.2.5 to read:

**13.7.3.2.5 Fire Alarm System Testing.** A tag shall be placed on the fire alarm panel when tested in accordance with Section 13.7.3.2. Information on the tag shall include the testing date, testing company and contact information, technician performing the test, and satisfactory testing result.

- (16) Amending Section 18.2.3.1.3. Section 18.2.3.1.3 is amended to read:

**18.2.3.1.3** The provisions of 18.2.3.1 through 18.2.3.2.2.1 shall be permitted to be modified by the AHJ where any of the following conditions exist:

1. Not more than two one- and two-family dwellings protected by an approved automatic sprinkler system in accordance with Section 13.1.
2. Not more than two existing one- and two-family dwellings.
3. Private garages having an area not exceeding 1,000 square feet.
4. Carports having an area not exceeding 1,000 square feet.
5. Agricultural buildings having an area not exceeding 1,000 square feet.
6. Sheds and other detached buildings having an area not exceeding 1,000 square feet.



---

## A BILL FOR AN ORDINANCE

---

- (17) Amending Section 18.2.3.2.2.1. Section 18.2.3.2.2.1 is amended to read:

**18.2.3.2.2.1 Automatic Sprinkler Systems.** When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 130, or NFPA 13R, an increase in distance in Section 18.2.3.2.2 shall be permitted as set forth by the AHJ.

- (18) Amending Section 18.2.3.2. Section 18.2.3.2 is amended by adding Subsection 18.2.3.2.3 to read:

**18.2.3.2.3 Access for High-Piled Storage.** When high-piled storage areas exceed 12,000 square feet, one or more access doors shall be provided in each 100 lineal feet, or major fraction thereof, of the exterior walls which face required access roadways. Required access doors shall be a minimum of three feet wide and six feet eight inches high. Roll-up doors shall not be allowed as access doors, unless approved by the AHJ.

- (19) Amending Section 18.5.6. Section 18.5.6 is amended to add a sentence to read:

Global positioning system coordinates of new and existing private hydrant locations shall be provided to the fire department.

- (20) Amending Section 20.1.1.1. Section 20.1.1.1 is amended to read:

**20.1.1.1 Permits and Plans.** A permit is required for each place of assembly with an occupant load capacity of 300 or more persons, such as restaurants, nightclubs, and dancing and drinking establishments. The permit shall be posted in a conspicuous location on the premises.

At the time of applying for a permit, the applicant shall submit to the AHJ two copies of the establishment's floor plan indicating the square footage (gross), seating arrangements (if more than one seating configuration is used by the establishment), occupancy load, aisle widths, exits and access ways to exits, and compliance with other fire code requirements in accordance with Chapter 20 of this code. See also amended Section 1.12.8.



---

## A BILL FOR AN ORDINANCE

---

- (21) Amending Section 20.1.5.10.3.1. Section 20.1.5.10.3.1 is amended to read:

**20.1.5.10.3.1** Any room or area constituting an assembly, regardless of seating arrangements, shall have a permanent occupant load sign posted in a conspicuous place near the main exit from the room. The occupant load shall be established per the current building code.

- (22) Amending Section 25.1.2. Section 25.1.2 is amended by adding Subsection 25.1.2.1 to read:

**25.1.2.1 Tents and Canopies.** A permit is required to erect or operate a tent or canopy having an area in excess of 2,100 square feet. At the time of application, two copies of the plot plan shall be submitted to the AHJ indicating distances to property lines, buildings, other tents and canopies, parked vehicles, or internal combustion engines. Refer to amended Section 1.12.8.

**EXCEPTION:** Permits are not required for private parties on private property.

- (23) Amending Section 43.1.1.4. Section 43.1.1.4 is amended to read:

**43.1.1.4 Permits and Plans.** A permit is required for spraying or dipping operations utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 43 of this code.

At the time of applying for a permit, the applicant shall submit to the AHJ two copies of the spraying or dipping installation plan with distances from the storage of flammable or combustible liquids. The plan shall indicate the location of exits from the spraying or dipping area, an approved fixed extinguishing system installed in the permitted area, and other fire code requirements in accordance with Chapter 43 of this code. See also amended Section 1.12.8.

- (24) Amending Section 50.4.3.3.1. Section 50.4.3.3.1 is amended to read:

**50.4.4.3.1** In existing systems, when changes in the cooking media, positioning, operation and use, or replacement of cooking equipment, or changes in ownership occur, the fire-extinguishing system shall be made to comply with 50.4.4.3 and 50.4.11.



## A BILL FOR AN ORDINANCE

---

- (25) Amending Section 50.4.11. Section 50.4.11 is amended by adding Subsection 50.4.11.3 to read:

**50.4.11.3 Acceptance Test.** Prior to commencing initial cooking operations, a satisfactory acceptance test of the system shall be made in accordance with the manufacturer's instructions. The acceptance test shall be of an approved method and witnessed by the AHJ.

- (26) Amending Section 65.1.1. Section 65.1.1 is amended to read:

**65.1.1** The storage, use, and handling of explosives, fireworks, and model rocketry shall comply with the requirements of this chapter, NFPA standards referenced within this chapter, Sections 60.1 through 60.4 of this code, and applicable county laws and rules.

- (27) Amending Section 66.1.5. Section 66.1.5 is amended by adding Subsection 66.1.5.1 to read:

**66.1.5.1 Permits and Plans.** A permit is required to install or operate equipment in connection with the storage, handling, use, or sale of flammable or combustible liquids regulated under Chapter 66 of this code.

Permits are not transferable and any change in use, occupancy, operation, ownership, vendor, or capacity shall require a new permit.

At the time of application, two copies of the plot and cross-sectional plans indicating distances from property lines, buildings, other fuel tanks located on the premises, dispensers, emergency electrical shutoff, vent lines and diameter, piping, location of fire extinguisher, and necessary signage and placards shall be submitted to the AHJ.

Tank installations within the jurisdiction of the City and County of Honolulu (City) shall be approved by the Department of Planning and Permitting's (DPP) Zoning Division prior to submitting an application for the HFD's Flammable and Combustible Liquid Tank Installation Permit. For installations in State conservation-zoned areas, tank installations shall be reviewed and approved by the State Department of Land and Natural Resources (DLNR). Refer to amended Section 1.12.8.



---

## A BILL FOR AN ORDINANCE

---

(28) Amending Section 66.21.7.4.3.4. Section 66.21.7.4.3.4 (1) is amended to read:

1. All flammable and combustible liquids, residues, and vapors shall be removed from the tank, appurtenances, and piping. Confirmation that the atmosphere in the tank is safe shall be by testing of the atmosphere using combustible gas indicators or an oxygen meter.

(29) Amending Section 69.1.1.3. Section 69.1.1.3 is amended by adding Subsection 69.1.1.3.1 to read:

**69.1.1.3.1 Records.** Installers shall maintain a record of installations for permits not required by Section 1.12.8, and such record shall be available for inspection by the AHJ.

**EXCEPTION:** Installation of gas-burning appliances and replacement of portable cylinders.

(30) Amending Section 69.1.2.1. Section 69.1.2.1 is amended by adding Subsection 69.1.2.1.1 to read:

**69.1.2.1.1 Permits and Plans.** A permit is required to install or dispense LPG or maintain an LPG container (tank).

**EXCEPTION:** A permit is not required to install or maintain a portable container or the aggregate of interconnected containers of less than a 125-gallon water capacity.

Permits shall not be transferable and any change in use, occupancy, operation, ownership, vendor, or capacity shall require a new permit. Distributors shall not fill an LPG container for which a permit is required, unless a permit for installation has been issued for that location by the AHJ.

Where a single container or the aggregate of interconnected containers is of a 125-gallon water capacity or more, the installer shall submit plans to the AHJ.

LPG installations requiring a permit shall have the permit on site and available for inspection by the AHJ.



---

**A BILL FOR AN ORDINANCE**

---

At the time of application for a permit, the installer shall submit to the AHJ two copies of the plot and cross-sectional plans indicating distances from property lines, buildings, other fuel tanks located on the premises, dispensers, emergency electrical shutoff, vent lines and diameter, piping, location of fire extinguisher(s), and necessary signage and placards.

Container installations within the jurisdiction of the City shall be approved by the DPP's Zoning Division prior to submitting an application for the HFD's LPG Tank Installation Permit. For installations in State preservation-zoned areas, container installations shall be reviewed by the State DLNR. Refer to amended Section 1.12.8.

(31) Amending Section 69.3.6.1.2. Section 69.3.6.1.2 is amended to read:

**69.3.6.1.2** LPG containers or systems of which they are a part shall be protected from damage from vehicles in accordance with Section 60.5.1.9."



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 56 (2015)

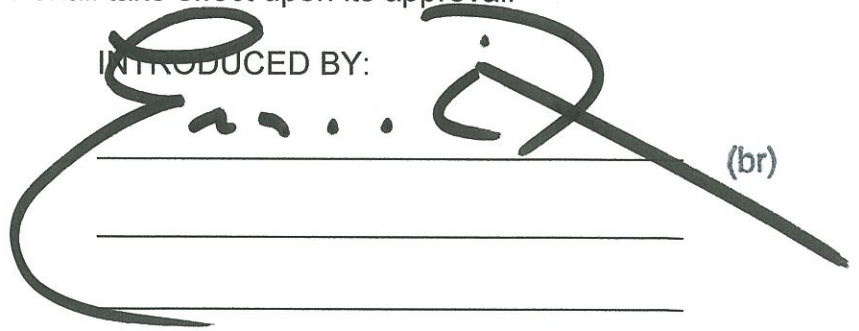
---

**A BILL FOR AN ORDINANCE**

---

SECTION 4: This ordinance shall take effect upon its approval.

INTRODUCED BY:

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(br)

DATE OF INTRODUCTION:

**JUL 21 2015**

\_\_\_\_\_  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Kirk Caldwell, Mayor  
City and County of Honolulu